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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Jose Balmore Romero,
Defendant.

Case No.: CR 17 - 0278
ORDER OF DETENTION

I.

- A. ☒ On motion of the Government in a case allegedly involving:
- 1. ☐ a crime of violence.
 - 2. ☐ an offense with maximum sentence of life imprisonment or death.
 - 3. ☒ a narcotics or controlled substance offense with maximum sentence of ten or more years.
 - 4. ☐ any felony - where defendant convicted of two or more prior offenses described above.
 - 5. ☐ any felony that is not otherwise a crime of violence that involves a minor victim, or possession or use of a firearm or destructive device or any other dangerous weapon, or a failure to register under 18 U.S.C. § 2250.

1 B. ☒ On motion by the Government/() on Court's own motion, in a case
2 allegedly involving:

3 ☒ On the further allegation by the Government of:

4 1. ☒ a serious risk that the defendant will flee.

5 2. ☒ a serious risk that the defendant will:

6 a. ☒ obstruct or attempt to obstruct justice.

7 b. ☒ threaten, injure or intimidate a prospective witness or
8 juror, or attempt to do so.

9 C. The Government ☒ is/() is not entitled to a rebuttable presumption that no
10 condition or combination of conditions will reasonably assure the defendant's
11 appearance as required and the safety of any person or the community.
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13 II.

14 A. ☒ The Court finds that no condition or combination of conditions will
15 reasonably assure:

16 1. ☒ the appearance of the defendant as required.

17 ☒ and/or

18 2. ☒ the safety of any person or the community.

19 B. ☒ The Court finds that the defendant has not rebutted by sufficient evidence to
20 the contrary the presumption provided by statute.
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22 III.

23 The Court has considered:

24 A. ☒ the nature and circumstances of the offense(s) charged, including whether
25 the offense is a crime of violence, a Federal crime of terrorism, or involves
26 a minor victim or a controlled substance, firearm, explosive, or destructive
27 device;

28 B. ☒ the weight of evidence against the defendant;

- 1 C. (X) the history and characteristics of the defendant; and
2 D. (X) the nature and seriousness of the danger to any person or the community.
3

4 IV.

5 The Court also has considered all the evidence adduced at the hearing and the
6 arguments and/or statements of counsel, and the Pretrial Services
7 Report/recommendation.
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9 V.

10 The Court bases the foregoing finding(s) on the following:

- 11 A. (X) As to flight risk:

12 insufficient bail resources
13 substance abuse history
14 foreign travel
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- 21 B. (X) As to danger:

22 leading role in offense as alleged head of MS-13
23 allegations of indictment
24 past convictions involving violence or weapon
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1 VI.

- 2 A. ☒ The Court finds that a serious risk exists the defendant will:
- 3 1. ☒ obstruct or attempt to obstruct justice.
- 4 2. ☒ attempt to/ ☒ threaten, injure or intimidate a witness or juror.
- 5 B. The Court bases the foregoing finding(s) on the following:
- 6 allegations of the indictment in which he warned
- 7 citizen not to cooperate with police concerning
- 8 violent crimes perpetrated at Defendant's direction
- 9 overt act 14

10 VII.

- 11 A. IT IS THEREFORE ORDERED that the defendant be detained prior to trial.
- 12 B. IT IS FURTHER ORDERED that the defendant be committed to the custody of the
- 13 Attorney General for confinement in a corrections facility separate, to the extent
- 14 practicable, from persons awaiting or serving sentences or being held in custody
- 15 pending appeal.
- 16 C. IT IS FURTHER ORDERED that the defendant be afforded reasonable opportunity
- 17 for private consultation with counsel.
- 18 D. IT IS FURTHER ORDERED that, on order of a Court of the United States or on
- 19 request of any attorney for the Government, the person in charge of the corrections
- 20 facility in which defendant is confined deliver the defendant to a United States
- 21 marshal for the purpose of an appearance in connection with a court proceeding.
- 22

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24 DATED: May 2, 2018

Jm Rosenbluth
JEAN ROSENBLUTH
U.S. MAGISTRATE JUDGE